

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 25, 2003 Work Session**

AGENDA ITEM NO.: 5

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Stormwater Management Program**

RECOMMENDATION: None, for information only at this time.

SUMMARY:

Mandated by Congress under the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Stormwater Program is a comprehensive national program for addressing the urban sources of stormwater discharges that adversely affect the quality of our nation's waters.

The City of Lynchburg is seeking compliance with the NPDES Phase II stormwater regulations. The development effort requires a comprehensive evaluation of the City's current services and stormwater programming, and a determination of what existing activities may meet the regulatory requirements. In addition, the City needs an assessment of strategies and Best Management Practices (BMPs) to fill in any identified programmatic gaps, a determination of cost impacts and budget demands, and program implementation.

To reach these goals by the deadline of March 10, 2003, the City has employed the services of AMEC Earth & Environmental, Inc. AMEC has put together a report to address the requirements and is under contract to help the City issue a Notice of Intent to the Virginia Department of Environmental Quality (DEQ). Attached is the Executive Summary of their report. The entire report is 92 pages long. Copies are available from Lee Newland in Engineering.

Representatives of AMEC will be at the meeting to present a summary of the Federal Regulations and to answer any questions.

PRIOR ACTION(S): None

FISCAL IMPACT:

Estimates at this time are in the \$400,000 range for year one. For the remaining four years of the permit costs are estimated at \$300,000 per year.

There are no special State or Federal funds available to carry out this program.

CONTACT(S):

Lee Newland, Director of Engineering, 847-1360 ext. 270

Bruce McNabb, Director of Public Works, 847-1823

ATTACHMENT(S): Executive Summary

REVIEWED BY: lkp

Executive Summary

To prepare to meet the regulatory deadline of March 10, 2003, the City of Lynchburg contracted with AMEC Earth & Environmental, Inc. (AMEC) to develop an action plan for compliance with the Phase II stormwater regulations under the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES). In Virginia, these regulations will be implemented through a General Permit that will be issued by the Virginia Department of Environmental Quality (VDEQ). This action plan outlines a basic framework to develop an effective stormwater management program that is based on community needs and priorities while at the same time complying with the Phase II program requirements.

AMEC completed an assessment of current programming in Lynchburg, reviewing municipal operations as well as the City's ordinances and regulations. The resulting action plan is organized as follows:

- Section 1 describes the purpose of this report.
- Section 2 outlines the NPDES Phase II regulatory program. Communities must comply with requirements for six Minimum Control Measures: public education and outreach; public participation/involvement; illicit discharge detection and elimination; construction site runoff control; post-construction runoff control; and pollution prevention/good housekeeping.
- Section 3 presents a brief community profile. This provides basic data about geography, demographics, and local economy that provide background information for use in development compliance cost estimates.
- Section 4 provides an overview of existing City roles, responsibilities, and practices that directly or indirectly affect stormwater management in Lynchburg.
- Section 5 covers the City's current stormwater activity status as it relates directly to the six minimum control measures of Phase II. The City already provides a number of services related to stormwater management; these activities will serve as the foundation for compliance with the NPDES Phase II regulations and offer a starting point for further program development.
- Section 6 addresses the specific gaps between the City's existing program areas and the Phase II requirements, recommending supplemental programs tailored to community needs in addition to the required program elements.
- Section 7 presents an action plan that will list activities for each of the six Minimum Control Measures that the City can take to fulfill EPA's Maximum Extent Practicable Standard, including preliminary estimates of compliance costs.
- Section 8 provides an overview of the preliminary activities the City will pursue to position itself to comply with the March 10, 2003 deadline for submission of the required Registration Statement to VDEQ.

While the City does not have all the necessary components for a fully compliant NPDES Phase II stormwater management program, in some areas, it has a good foundation to build upon. The table presented below offers several examples of the City's NPDES Phase II foundational programming.

NPDES Minimum Measure

Public Education and Outreach on Stormwater Impacts

Foundational Program Elements

The City has a highly skilled staff with extensive experience in closely related areas (e.g., City of Lynchburg CSO Project). In-house resources are highly qualified to develop and implement a NPDES Phase II Public Education and Outreach Program.

NPDES Minimum Measure

Public Involvement / Participation

Foundational Program Elements

The City has an interested and involved citizenry. Though not specifically required by the NPDES Phase II regulations, the City could easily seat a committee that focuses on stormwater to advise the City Council and staff on local stormwater needs and community expectations.

NPDES Minimum Measure

Construction Site Stormwater Runoff Control

Foundational Program Elements

The City has a sound erosion and sediment control program that meets the requirements of the NPDES Phase II regulations.

Implementation of the recommended NPDES Phase II compliance measures (Year 1) may generate an order of magnitude need for approximately \$ 384,500 or \$6.05 per capita. This cost includes an estimated \$ 177,000 in one-time program development cost. Approximately 55% of this cost is required for the development of an illicit discharge detection and elimination program. In this area, the City will be required to invest significantly to develop a good base map of the separate storm sewer system and develop a program implementation strategy.

Based on a review of the 2003 City budget, AMEC estimates that the City currently spends approximately \$ 956,000 for stormwater management related services. Developing an NPDES complaint stormwater management program may require stormwater expenditures to increase by about 40%. Provisional cost estimates for the remaining 4 years in the initial NPDES Phase II compliance period are also included in the Appendices to this report.

Although the cost estimates for NPDES Phase II programming represents a significant increase in expenditures for stormwater management, development of an NPDES Phase II stormwater management program will help the City achieve some of the goals outlined in its recently adopted Comprehensive Plan. These goals include:

1. Promote an understanding of the value of natural systems in providing a pleasant, healthy, and safe environment for human activity.
2. Evaluate the potential effects, both positive and negative, of human activity on natural systems.
3. Temper and refine human activity to promote and enhance the value of natural systems.

These goals are in many ways similar to the basic goals of the NPDES Phase II program, which seeks to address stormwater quality through multiple avenues, including changing human behavior over time.